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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
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ART UNIT	PAPER NUMBER
2619	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/323,135	LAROQUE ET AL.	
	Examiner	Art Unit	
	Michael J. Moore, Jr.	2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 October 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23 and 25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23 and 25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 June 1999* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/29/07 has been entered.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to clearly show the distinction between the coupler 1 and the telephone exchange as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the

remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specifically, it is unclear from Figure 1 what the distinction is between the coupler 1 and the telephone exchange (PABX, circuit switch). In the last paragraph on page 4 of the specification, it is disclosed that the signaling coupler 1 of Figure 1 is designed to be placed in a telephone exchange. In Figure 1, there is a labeling "1" that points to the inside of the box labeled PABX. From this labeling, it is unclear what the coupler 1 comprises (interpreter 14, interfaces 2 and 5, or a subset of these elements). Further, in the current claim language, a "circuit switch" is claimed that comprises "a coupler", "an interpreter", and "a receiver". This would imply that the coupler and the interpreter are two separate entities. Further clarification of the coupler 1 of Figure 1 is suggested.

Specification

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The specification currently does not provide proper antecedent basis for the claimed "computer readable medium" of claims **17-21**.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims **17-21** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Specifically, Applicant has failed to provide antecedent basis for the claim terminology "computer readable medium" in the specification. Therefore, in this instance, it is reasonable to interpret "computer readable medium" as fairly conveying signals and other forms of propagation or transmission media to one of ordinary skill in the art. Therefore, these claims are held non-statutory as failing to be limited to embodiments which fall within a statutory category.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims **17-21** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Specifically, claims **17-21** are directed to "a computer readable medium storing instructions". Examiner was unable to find adequate support in the originally filed

specification for "a computer readable medium storing instructions". Therefore these claims constitute new matter.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims **3-6, 14, and 18** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

On lines 3-5 of each of claims **3 and 18,** there is some confusion regarding the limitation on these lines in view of the method shown in Figure 2.

Specifically, it is unclear how the claimed "adding a predetermined send order step" (corresponding to step 22 of Figure 2) further comprises "the switch receiving the signaling message in a receiving exchange and adding a receive flag to the signaling message" (corresponding to step 25 of Figure 2). According to Figure 2 and the specification, it is Examiner's understanding that these two steps 22 and 25 are separate steps that are performed in two different exchanges. Therefore, it is unclear how one of these steps can further comprise the other step. These claims are therefore held indefinite.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. Claims **1-23 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunn et al. (U.S. 6,324,280) (hereinafter "Dunn") in view of Park (U.S. 5,675,634).

Regarding claim **1**, *Dunn* teaches the originating switch 1 (circuit switch) of Figure 1.

Dunn also teaches network 6 (coupler) of switch 1 used for establishing connections between the PSTN and the Internet or toll network as spoken of on column 2, lines 53-55.

Dunn also teaches processor 5 (interpreter) of switch 1 of Figure 1 that receives a request (order) to establish a connection from originating station 25, analyzes the digits of the call request, determines whether to route the call either over the Internet or the toll network based on the analysis, and then generates appropriate call setup

signaling (configuration) for either the toll network (conventional call setup) or the Internet (IAM message) as spoken of on column 4, lines 5-18.

Dunn also teaches terminating toll switch 2 (receiver) that in response to receipt of initial address message (IAM) 40, returns an IAM acknowledgement containing the same call ID as well as an added field IP 2 47 (flag) indicating the IP address of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50.

Dunn also teaches the call origination containing dialed digits (string) as spoken of on column 3, lines 18-21 as well as column 4, lines 5-8.

Dunn does not teach "wherein the receive flag is an internal flag of the switch and is not transmitted with the signaling message from the switch".

However, *Park* teaches an apparatus for a switching system where internal flags used for transmission and reception of data are written and read to/from a common memory between a host processor 21 and a CPU 23 as spoken of on column 4, lines 2-18.

At the time of the invention, it would have been obvious to someone of ordinary skill in the art, given these references, to combine the internal flag usage of *Park* with the switching system of *Dunn* in order to allow effective reception, processing, and transmission of data via internal switch components as spoken of on column 4, lines 2-18 of *Park*.

Regarding claim **2**, *Dunn* further teaches terminating toll switch 2 that receives an initial address message (IAM) 40 indicating the IP address of the originating switch 1 as spoken of on column 3, lines 39-45.

Dunn further teaches terminating toll switch 2 that in response to receipt (processing) of initial address message (IAM) 40, returns an IAM acknowledgement containing the same call ID as well as an added field IP 2 47 (flag) indicating the IP address of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50.

Dunn further teaches terminating toll switch 2 that responds to a packet identifying the call associated with its identification by sending a packet containing the same call identifier replaced with an identifier of the originating switch 1 as spoken of on column 3, lines 63-67.

Regarding claims **3 and 18**, *Dunn* teaches a request (send order) to establish a connection from originating station 25, as well as terminating toll switch 2 (switch) that in response to receipt of initial address message (IAM) 40, returns an IAM acknowledgement containing the same call ID as well as an added field IP 2 47 (receive flag) indicating the IP address of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50.

Dunn also teaches processor 5 (interpreter) of switch 1 of Figure 1 that receives a request (order) to establish a connection from originating station 25, analyzes the digits of the call request, determines whether to route the call either over the Internet or the toll network (types of signaling channels) based on the analysis, and then generates appropriate call setup signaling (configuration) for either the toll network (conventional call setup) or the Internet (IAM message) as spoken of on column 4, lines 5-18.

Dunn also teaches the sending (outputting) of the appropriate call signaling over the network as spoken of on column 4, lines 12-18.

Dunn also teaches the IAM acknowledgement containing the same call ID as well as an added field IP 2 47 (receive flag) indicating the IP address (specified constant) of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50, as well as the call origination containing dialed digits (character string) as spoken of on column 3, lines 18-21 as well as column 4, lines 5-8.

Dunn does not teach "wherein the receive flag is an internal flag of the switch and is not transmitted with the signaling message from the switch".

However, *Park* teaches an apparatus for a switching system where internal flags (specified constants) used for transmission and reception of data are written and read to/from a common memory between a host processor 21 and a CPU 23 as spoken of on column 4, lines 2-18.

At the time of the invention, it would have been obvious to someone of ordinary skill in the art, given these references, to combine the internal flag usage of *Park* with the switching system of *Dunn* in order to allow effective reception, processing, and transmission of data via internal switch components as spoken of on column 4, lines 2-18 of *Park*.

Regarding claim **4**, *Dunn* further teaches terminating toll switch 2 that responds to a packet identifying the call associated with its identification by sending a packet containing the same call identifier replaced with an identifier of the originating switch 1 as spoken of on column 3, lines 63-67.

Regarding claim **5**, *Dunn* further teaches the IP communication shown in Figure 1.

Regarding claim **6**, *Dunn* further teaches processor 5 (microprocessor) of the switch 1 of Figure 1.

Regarding claim **7**, *Dunn* further teaches the IP communication shown in Figure 1.

Regarding claim **8**, *Dunn* further teaches processor 5 (microprocessor) of the switch 1 of Figure 1.

Regarding claim **9**, *Dunn* teaches the originating switch 1 (circuit switch) of Figure 1.

Dunn also teaches network 6 (coupler) of switch 1 used for establishing connections between the PSTN and the Internet or toll network as spoken of on column 2, lines 53-55.

Dunn also teaches processor 5 (interpreter) of switch 1 of Figure 1 that receives a request (order) to establish a connection from originating station 25, analyzes the digits of the call request, determines whether to route the call either over the Internet or the toll network based on the analysis, and then generates appropriate call setup signaling (configuration) for either the toll network (conventional call setup) or the Internet (IAM message) as spoken of on column 4, lines 5-18.

Dunn also teaches terminating toll switch 2 (receiver) that in response to receipt of initial address message (IAM) 40, returns an IAM acknowledgement containing the

same call ID as well as an added field IP 2 47 (flag) indicating the IP address of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50.

Dunn also teaches the call origination containing dialed digits (string) as spoken of on column 3, lines 18-21 as well as column 4, lines 5-8.

Dunn also teaches terminating toll switch 2 that receives an initial address message (IAM) 40 indicating the IP address of the originating switch 1 as spoken of on column 3, lines 39-45.

Dunn also teaches terminating toll switch 2 that in response to receipt (processing) of initial address message (IAM) 40, returns an IAM acknowledgement containing the same call ID as well as an added field IP 2 47 indicating the IP address of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50.

Dunn also teaches terminating toll switch 2 that responds to a packet identifying the call associated with its identification by sending a packet containing the same call identifier replaced with an identifier of the originating switch 1 as spoken of on column 3, lines 63-67.

Dunn also teaches the signaling messages 40, 45, 50, 55 transmitted via CCS7 network 5 (interface) as well as Internet 10 (interface) as shown in Figure 1.

Dunn does not teach "a receiver for adding a receive flag for internal use only".

However, *Park* teaches an apparatus for a switching system where internal flags used for transmission and reception of data are written and read to/from a common

memory between a host processor 21 and a CPU 23 as spoken of on column 4, lines 2-18.

At the time of the invention, it would have been obvious to someone of ordinary skill in the art, given these references, to combine the internal flag usage of *Park* with the switching system of *Dunn* in order to allow effective reception, processing, and transmission of data via internal switch components as spoken of on column 4, lines 2-18 of *Park*.

Regarding claim **10**, *Dunn* further teaches the call origination containing dialed digits (character string) as spoken of on column 3, lines 18-21 as well as column 4, lines 5-8.

Regarding claim **11**, *Dunn* further teaches terminating toll switch 2 (receiver) that in response to receipt of initial address message (IAM) 40, returns an IAM acknowledgement containing the same call ID as well as an added field IP 2 47 (receive flag) indicating the IP address of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50.

Regarding claim **12**, *Dunn* further teaches terminating toll switch 2 that responds to a packet identifying the call associated with its identification by sending a packet containing the same call identifier replaced with an identifier of the originating switch 1 as spoken of on column 3, lines 63-67.

Regarding claim **13**, *Dunn* further teaches terminating toll switch 2 that responds to a packet identifying the call associated with its identification by sending a packet

containing the same call identifier replaced with an identifier of the originating switch 1 as spoken of on column 3, lines 63-67.

Regarding claim **14**, *Dunn* further teaches processor 5 (interpreter) of switch 1 of Figure 1 that receives a request (order) to establish a connection from originating station 25, analyzes the digits of the call request, determines whether to route the call either over the Internet or the toll network based on the analysis, and then generates appropriate call setup signaling (configuration) for either the toll network (conventional call setup) or the Internet (IAM message) as spoken of on column 4, lines 5-18.

Regarding claim **15**, *Dunn* teaches the originating switch 1 (circuit switch) of Figure 1.

Dunn also teaches network 6 (coupler) of switch 1 used for establishing connections between the PSTN and the Internet or toll network (different types) as spoken of on column 2, lines 53-55.

Dunn also teaches processor 5 (interpreter) of switch 1 of Figure 1 that receives a request (order) to establish a connection from originating station 25, analyzes the digits of the call request, determines whether to route the call either over the Internet or the toll network based on the analysis, and then generates appropriate call setup signaling (configuration) for either the toll network (conventional call setup) or the Internet (IAM message) as spoken of on column 4, lines 5-18.

Dunn also teaches terminating toll switch 2 (receiver) that in response to receipt of initial address message (IAM) 40, returns an IAM acknowledgement containing the

same call ID as well as an added field IP 2 47 (flag) indicating the IP address of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50.

Dunn also teaches the call origination containing dialed digits (string) as spoken of on column 3, lines 18-21 as well as column 4, lines 5-8.

Dunn also teaches the choice of routing the call either over the Internet or over the toll network based on factors such as the present state of the networks, customer input, or dialed information (criteria) as spoken of on column 3, lines 10-21.

Dunn does not teach "a receiver for adding a receive flag for internal use only".

However, *Park* teaches an apparatus for a switching system where internal flags used for transmission and reception of data are written and read to/from a common memory between a host processor 21 and a CPU 23 as spoken of on column 4, lines 2-18.

At the time of the invention, it would have been obvious to someone of ordinary skill in the art, given these references, to combine the internal flag usage of *Park* with the switching system of *Dunn* in order to allow effective reception, processing, and transmission of data via internal switch components as spoken of on column 4, lines 2-18 of *Park*.

Regarding claim **16**, *Dunn* further teaches the signaling messages 40, 45, 50, 55 transmitted via CCS7 network 5 (interface) as well as Internet 10 (interface) as shown in Figure 1.

Regarding claim **17**, *Dunn* teaches network 6 (coupler) of switch 1 used for establishing connections between the PSTN and the Internet or toll network as spoken of on column 2, lines 53-55.

Dunn also teaches processor 5 of switch 1 of Figure 1 that receives a request (order) to establish a connection from originating station 25, analyzes the digits of the call request, determines whether to route the call either over the Internet or the toll network based on the analysis, and then generates appropriate call setup signaling (configuration) for either the toll network (conventional call setup) or the Internet (IAM message) as spoken of on column 4, lines 5-18.

Dunn also teaches terminating toll switch 2 (receiver) that in response to receipt of initial address message (IAM) 40, returns an IAM acknowledgement containing the same call ID as well as an added field IP 2 47 indicating the IP address of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50.

Dunn also teaches the sending of the appropriate call signaling over the network as spoken of on column 4, lines 12-18.

Dunn also teaches the call origination containing dialed digits (string) as spoken of on column 3, lines 18-21 as well as column 4, lines 5-8.

Dunn does not teach "wherein the receive flag is an internal flag of the switch and is not transmitted with the signaling message from the switch".

However, *Park* teaches an apparatus for a switching system where internal flags used for transmission and reception of data are written and read to/from a common

memory between a host processor 21 and a CPU 23 as spoken of on column 4, lines 2-18.

At the time of the invention, it would have been obvious to someone of ordinary skill in the art, given these references, to combine the internal flag usage of *Park* with the switching system of *Dunn* in order to allow effective reception, processing, and transmission of data via internal switch components as spoken of on column 4, lines 2-18 of *Park*.

Regarding claim **19**, *Dunn* teaches network 6 (coupler) of switch 1 used for establishing connections between the PSTN and the Internet or toll network as spoken of on column 2, lines 53-55.

Dunn also teaches processor 5 (interpreter) of switch 1 of Figure 1 that receives a request (order) to establish a connection from originating station 25, analyzes the digits of the call request, determines whether to route the call either over the Internet or the toll network based on the analysis, and then generates appropriate call setup signaling (configuration) for either the toll network (conventional call setup) or the Internet (IAM message) as spoken of on column 4, lines 5-18.

Dunn also teaches terminating toll switch 2 (receiver) that in response to receipt of initial address message (IAM) 40, returns an IAM acknowledgement containing the same call ID as well as an added field IP 2 47 indicating the IP address of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50.

Dunn also teaches the call origination containing dialed digits (string) as spoken of on column 3, lines 18-21 as well as column 4, lines 5-8.

Dunn also teaches terminating toll switch 2 that receives an initial address message (IAM) 40 indicating the IP address of the originating switch 1 as spoken of on column 3, lines 39-45.

Dunn also teaches terminating toll switch 2 that in response to receipt (processing) of initial address message (IAM) 40, returns an IAM acknowledgement containing the same call ID as well as an added field IP 2 47 indicating the IP address of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50.

Dunn also teaches terminating toll switch 2 that responds to a packet identifying the call associated with its identification by sending a packet containing the same call identifier replaced with an identifier of the originating switch 1 as spoken of on column 3, lines 63-67.

Dunn does not teach "wherein the receive flag is an internal flag of the switch and is not transmitted with the signaling message from the switch".

However, *Park* teaches an apparatus for a switching system where internal flags used for transmission and reception of data are written and read to/from a common memory between a host processor 21 and a CPU 23 as spoken of on column 4, lines 2-18.

At the time of the invention, it would have been obvious to someone of ordinary skill in the art, given these references, to combine the internal flag usage of *Park* with the switching system of *Dunn* in order to allow effective reception, processing, and

transmission of data via internal switch components as spoken of on column 4, lines 2-18 of *Park*.

Regarding claim **20**, *Dunn* further teaches the signaling messages 40, 45, 50, 55 transmitted via CCS7 network 5 (interface) as well as Internet 10 (interface) as shown in Figure 1.

Regarding claim **21**, *Dunn* further teaches the routing of the call over the Internet or toll network based on the present state (predetermined criteria) of the two networks as spoken of on column 3, lines 10-13.

Regarding claim **22**, *Dunn* further teaches terminating toll switch 2 that responds to a packet identifying the call associated with its identification by sending a packet containing the same call identifier replaced with an identifier of the originating switch 1 as spoken of on column 3, lines 63-67.

Regarding claim **23**, *Dunn* does not teach "wherein the switch only internally uses the receive flag of the received signaling message".

However, *Park* teaches an apparatus for a switching system where internal flags used for transmission and reception of data are written and read to/from a common memory between a host processor 21 and a CPU 23 as spoken of on column 4, lines 2-18.

At the time of the invention, it would have been obvious to someone of ordinary skill in the art, given these references, to combine the internal flag usage of *Park* with the switching system of *Dunn* in order to allow effective reception, processing, and

transmission of data via internal switch components as spoken of on column 4, lines 2-18 of *Park*.

Regarding claim **25**, *Dunn* further teaches terminating toll switch 2 that in response to receipt of initial address message (IAM) 40, returns an IAM acknowledgement containing the same call ID as well as an added field IP 2 47 (instruction to process) indicating the IP address of the terminating toll switch 2 as shown in Figure 1 and spoken of on column 3, lines 45-50.

Response to Arguments

12. Applicant's arguments filed 10/29/07 regarding the rejection of claims **17-21** under 35 U.S.C. 112, 1st paragraph have been fully considered but they are not persuasive.

While Applicant points out examples in the specification where various transmission protocols are used, and where signaling channels are accessed to produce a signaling configuration by an interpreter module 14 that is capable of running a program, none of these examples clearly define the claimed "computer readable medium storing instructions". While Applicant argues that the disclosure of accessing a signaling channel and producing a signaling configuration implies "instructions" for this process, and that these instructions must be stored on some form of a computer readable medium, it is held that there is no factual basis in the specification for "instructions" or a "computer readable medium" for storing these instructions.

Typically, when a "computer-readable medium" is claimed, there is a clear definition in the specification of what the "computer-readable medium" comprises (e.g.

cache, RAM, ROM, other magnetic/optical recording media) so that the Office can effectively interpret the metes and bounds of the claim. Since the original specification does not provide this support, it is held that claims 17-21 fail to meet the written description requirement of 35 U.S.C. 112 1st paragraph as provided above.

13. Applicant's arguments with respect to claims **1-25** in view of the prior art of record have been considered but are moot in view of the new ground(s) of rejection provided above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Moore, Jr. whose telephone number is (571) 272-3168. The examiner can normally be reached on Monday-Friday (7:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing F. Chan can be reached at (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael J. Moore, Jr.

Michael J. Moore, Jr.
Examiner
Art Unit 2619